

# EXHIBIT A

Page 1

1 UNITED STATES DISTRICT COURT  
2 DISTRICT OF MINNESOTA  
3 -----X  
4 IN RE: : Court File No.  
5 PORK ANTITRUST LITIGATION : 0:18-cv-01776-JRT-HB  
6 -----X  
7  
8 REMOTE VIDEOTAPED STENOGRAPHIC DEPOSITION OF  
9 MICHAEL ANDERSON  
10 Monday, April 25, 2022  
11 10:32 a.m. Mountain Time  
12  
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14  
15  
16  
17  
18  
19  
20  
21  
22 Job No.: 2022-836283  
23 Pages: 1 - 138  
24 STENOGRAPHICALLY REPORTED BY:  
25 GISELLE MITCHELL-MARGERUM, RPR, CRI, CCR, LCR, CSR

Page 2

1 Deposition of MICHAEL ANDERSON, held  
2 remotely, via videoconference at:  
3  
4  
5 VIA VIDEOCONFERENCE  
6  
7  
8  
9 Pursuant to agreement, before Giselle  
10 Mitchell-Margerum, Registered Professional Reporter,  
11 Certified Reporting Instructor, Licensed Court Reporter  
12 (TN), Certified Court Reporter (GA), Certified Court  
13 Reporter (NJ), Certified Court Reporter (WA), Certified  
14 Shorthand Reporter (OR), Certified Shorthand Reporter  
15 (CA), and Notary Public (Washington, D.C.).  
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17  
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24  
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Page 3

1 A P P E A R A N C E S  
2  
3 ON BEHALF OF CONSUMER INDIRECT PURCHASER PLAINTIFFS  
4 AND THE WITNESS:  
5 ABOU AMARA, ESQ.  
6 GUSTAFSON GLUEK PLLC  
7 126 South 6th Street, Suite 2600  
8 Minneapolis, Minnesota 55402  
9 712.333.8844  
10  
11 ON BEHALF OF DEFENDANT CLEMENS:  
12 THOMAS LIS, ESQ.  
13 KIRKLAND & ELLIS LLP  
14 300 North LaSalle  
15 Chicago, IL 60654  
16 312.862.2000  
17  
18 ON BEHALF OF THE WITNESS:  
19 CARL MALMSTROM, ESQ.  
20 WOLF HALDENSTEIN ADLER  
21 FREEMAN & HERZ LLC  
22 111 West Jackson, Suite 1700  
23 Chicago, IL 60604  
24 312.984.0000  
25

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1 APPEARANCES (cont'd):  
2  
3 ALSO PRESENT:  
4 KIMBERLY VILLALOBOS, Videographer  
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<p style="text-align: right;">Page 117</p> <p>1 them to make future operations decisions by</p> <p>2 looking at past reports?</p> <p>3 MR. MALMSTROM: Objection.</p> <p>4 Calls for speculation.</p> <p>5 <b>A. Yes.</b></p> <p>6 Q. And that includes the pork industry?</p> <p>7 MR. MALMSTROM: Objection.</p> <p>8 Calls for speculation.</p> <p>9 <b>A. Yes.</b></p> <p>10 Q. And earlier, you said that you would</p> <p>11 attend trade conferences. Correct?</p> <p>12 <b>A. Yes.</b></p> <p>13 Q. And you would meet with managers and</p> <p>14 chefs from competing restaurants. Correct?</p> <p>15 <b>A. Yes.</b></p> <p>16 Q. And you think it was appropriate for</p> <p>17 you to do so?</p> <p>18 MR. MALMSTROM: Objection.</p> <p>19 Calls for speculation.</p> <p>20 <b>A. Yes.</b></p> <p>21 Q. What about conferences in other</p> <p>22 industries?</p> <p>23 MR. MALMSTROM: Objection.</p> <p>24 Calls for speculation.</p> <p>25 <b>A. Yes.</b></p>	<p style="text-align: right;">Page 119</p> <p>1 Q. Including the pork industry?</p> <p>2 MR. MALMSTROM: Objection.</p> <p>3 Calls for speculation.</p> <p>4 <b>A. Yes.</b></p> <p>5 Q. Why did you decide to be a class</p> <p>6 representative?</p> <p>7 <b>A. Because I want to look out for every</b></p> <p>8 <b>other Arizonian out there, and the people who</b></p> <p>9 <b>live in Peoria, and make sure they are not</b></p> <p>10 <b>getting screwed.</b></p> <p>11 Q. So who do you represent as a class</p> <p>12 rep?</p> <p>13 <b>A. I represent the state of Arizona,</b></p> <p>14 <b>and everybody else in the United States.</b></p> <p>15 Q. And what are your responsibilities</p> <p>16 as a class representative?</p> <p>17 <b>A. To make sure that I hold -- I hold</b></p> <p>18 <b>the best interest of my constituents and my</b></p> <p>19 <b>state, and the rest of the citizens in the</b></p> <p>20 <b>U.S.. To make sure that people don't do this.</b></p> <p>21 Q. And what do you mean by, "make sure</p> <p>22 that people don't do this?"</p> <p>23 <b>A. Follow through with this lawsuit.</b></p> <p>24 Q. As part of this lawsuit, were you,</p> <p>25 at any time, instructed to preserve documents?</p>
<p style="text-align: right;">Page 118</p> <p>1 Q. And that would include competitors</p> <p>2 in the pork industry?</p> <p>3 MR. MALMSTROM: Objection.</p> <p>4 Calls for speculation.</p> <p>5 <b>A. Yes.</b></p> <p>6 Q. And you said you'd use</p> <p>7 consultants -- well, let me rephrase.</p> <p>8 You said you would meet with</p> <p>9 consultants to get their insight on the</p> <p>10 industry. Correct?</p> <p>11 <b>A. Yes.</b></p> <p>12 Q. And you think it's appropriate for</p> <p>13 you to do so?</p> <p>14 MR. MALMSTROM: Objection.</p> <p>15 Calls for speculation.</p> <p>16 <b>A. Yes.</b></p> <p>17 Q. You think it's appropriate for</p> <p>18 members of other industries to meet with</p> <p>19 consultants to get insights --</p> <p>20 MR. MALMSTROM: Objection.</p> <p>21 MR. LIS: -- from industries?</p> <p>22 MR. MALMSTROM: Objection.</p> <p>23 Calls for speculation.</p> <p>24 <b>THE WITNESS: Yes.</b></p> <p>25 BY MR. LIS:</p>	<p style="text-align: right;">Page 120</p> <p>1 <b>A. Yes.</b></p> <p>2 Q. And by whom?</p> <p>3 <b>A. By my legal counsel.</b></p> <p>4 Q. Do you remember when you were</p> <p>5 instructed?</p> <p>6 <b>A. 2018.</b></p> <p>7 Q. Do you remember if that was verbally</p> <p>8 or in writing?</p> <p>9 <b>A. It was both verbal, and in the</b></p> <p>10 <b>email.</b></p> <p>11 Q. And what categories of documents</p> <p>12 were you instructed to preserve?</p> <p>13 <b>A. Receipts.</b></p> <p>14 Q. Anything else?</p> <p>15 <b>A. No.</b></p> <p>16 Q. Did you take any steps to comply</p> <p>17 with that instruction?</p> <p>18 <b>A. I did. Until they got lost in the</b></p> <p>19 <b>shuffle.</b></p> <p>20 Q. And when did you start taking those</p> <p>21 steps?</p> <p>22 <b>A. Right after the initial</b></p> <p>23 <b>conversation.</b></p> <p>24 Q. And what steps were those?</p> <p>25 <b>A. When I did shop -- when I bought</b></p>

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1 **pork, I would save the receipt, and I would**  
2 **put them in a folder.**  
3 Q. When were your receipts lost?  
4 **A. Summer of 2019; 2020. We had a**  
5 **flood in our house and moved everything. And**  
6 **then when they went back, I could not find**  
7 **them.**  
8 Q. So, besides trying to preserve  
9 receipts, did you take any other steps to  
10 preserve documents for this case?  
11 **A. No.**  
12 Q. So, defendants served what is known  
13 as a Request for Production of Documents. Did  
14 you ever receive a copy?  
15 **A. I never -- I never gave them the**  
16 **documents. I didn't have them.**  
17 Q. Have you ever seen a document called  
18 a Request for Production of Documents?  
19 **A. Probably in an email.**  
20 Q. Did you look -- do you remember  
21 looking through a document called, "Request  
22 for Production?"  
23 **A. No. I don't.**  
24 Q. Okay.  
25 MR. LIS: Kimberly, can with

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1 pull up tab three?  
2 (Exhibit 4 marked for identification)  
3 BY MR. LIS:  
4 Q. Do you recognize this document?  
5 **A. No. Not off the top of my head.**  
6 MR. LIS: Kimberly, if you  
7 could flip through slowly? If that helps  
8 Mr. Anderson.  
9 Can we pause here, actually?  
10 BY MR. LIS:  
11 Q. Do you remember seeing this  
12 document?  
13 **A. No.**  
14 Q. So, earlier, you said that after you  
15 were told to preserve documents, you started  
16 saving your pork receipts. Correct?  
17 **A. Yes.**  
18 Q. Did you have any pork receipts  
19 from -- any earlier pork receipts from before  
20 you were emailed?  
21 **A. No.**  
22 Q. And do you remember when in 2018 you  
23 got that email?  
24 **A. No. Not exactly, off the top of my**  
25 **head.**

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1 Q. Do you remember if it was before or  
2 after June 30th?  
3 **A. No. I do not recall.**  
4 Q. Is it fair to say that you have no  
5 receipts reflecting a pork purchase from 2008  
6 to 2018, in your possession, custody, or  
7 control?  
8 **A. Yes. That's true.**  
9 Q. Do you use email?  
10 **A. I do.**  
11 Q. How many email addresses?  
12 **A. Two.**  
13 Q. Have you ever used any of those to  
14 discuss pork, or any of the allegations in  
15 this case?  
16 **A. My regular email with Carl.**  
17 Q. So, besides communications with your  
18 attorneys, did you use either of your emails  
19 to discuss pork or the allegations in the  
20 complaint?  
21 **A. No.**  
22 Q. Did you search your emails from  
23 documents --  
24 **A. I did --**  
25 Q. -- related to this complaint?

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1 So if we were to search, say,  
2 the word, "pork" in your email, would we get  
3 any hits --  
4 **A. I --**  
5 Q. -- besides --  
6 MR. MALMSTROM: Objection.  
7 Calls for speculation.  
8 **A. Yeah. You probably would. But it**  
9 **wouldn't be anything pertaining to this.**  
10 Q. Well, what kind of stuff would we  
11 see?  
12 **A. You might get an ad. Grocery ad.**  
13 Q. Okay. Anything else?  
14 **A. No.**  
15 Q. Would we -- would any of those ads  
16 reference any of the defendants?  
17 MR. MALMSTROM: Objection.  
18 Calls for speculation.  
19 **A. Maybe.**  
20 Q. You searched for defendants' names  
21 in your email?  
22 **A. No.**  
23 Q. Did you run any searches besides  
24 pork?  
25 **A. No.**